



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

JUL 12 2005

DOT-E 11606
(SEVENTH REVISION)

EXPIRATION DATE: November 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Safety-Kleen Systems, Inc.
Plano, TX

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain non-DOT specification steel drums and certain UN1A1 and UN1A2 steel drums without the marking of the symbol of the manufacturer and the initials "USA" to be shipped without leakproofness testing. This exemption provides no relief from any regulation other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.28(b)(2), 173.203 in that non-DOT specification packagings or specification packagings with incomplete marking are authorized, and the marking requirements in §§ 172.301(c) and 178.503(a)(7) and (a)(8).

5. BASIS: This exemption is based on the application of Safety-Kleen Systems, Inc. dated December 3, 2004, submitted in accordance with § 107.109 and additional applications dated February 24, 2005 and May 3, 2005 submitted in accordance with § 107.105 and the public proceeding thereon.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

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Hazardous materials description - - proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Corrosive liquids, basic organic, n.o.s	8	UN3267	III
Flammable liquids, n.o.s.	3	UN1993	III
Waste combustible liquids, n.o.s.	Combus- tible liquid	NA1993	III
Waste petroleum distillates, n.o.s. or Petroleum products, n.o.s.	3	UN1268	III
Tetrachloroethylene	6.1	UN1897	III
Hazardous waste, liquid, n.o.s.	9	NA3082	III
Toxic liquids, organic, n.o.s. (tetrachloroethylene)	6.1	UN2810	III

7. PACKAGING AND SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed must conform to the following:

(1) Non-DOT specification metal drums having capacities of 16 or 30 gallons meeting the applicable general packaging requirements in §§ 173.24 and 173.24a. The 16-gallon capacity drums are 22-gauge steel body with 20-gauge steel bottom and top and may have an epoxy-phenolic lining. The 30-gallon capacity drums are 20-gauge steel body, bottom and top. No new construction is authorized for either drum type.

(2) Approximately 15,000 UN1A1 and UN1A2 steel drums without the marking of the manufacturer's symbol and the initials "USA" specified in § 178.503(a)(7) and (a)(8). No new construction is authorized.

b. TESTING - Each drum must be capable of withstanding, without rupture or leakage, the vibration test procedure specified in § 178.608.

c. OPERATIONAL CONTROLS -

(1) Safety-Kleen Corp. may continue to use their non-DOT specification drums in their present inventory until they are no longer serviceable.

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(2) Drums may be reused for transportation without being subjected to the leakproofness test of § 173.28(b)(2), subject to the following:

(i) The packagings may only be transported aboard Safety-Kleen's vehicles (private carriage) and each vehicle must have a method for containing the contents of the largest drum on the vehicle (i.e. salvage drum).

(ii) Safety-Kleen must have written procedures to assure containment of any leakage and the vehicle operators must be trained in the use of containment equipment.

(iii) Stacking of the drums is not authorized.

(iv) Inspection/rejection criteria: Each drum must be inspected for leakage before refilling and shipment in accordance with written procedures. Any sign of leakage requires that the drum be permanently taken out of service.

(v) A current copy of this exemption must be maintained and made available for examination at each location where refilling of drums which have not been leakproofness tested takes place.

8. SPECIAL PROVISIONS: The marking requirement specified in § 172.301(c) is waived for packagings transported in conformance with this exemption.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
 - o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.

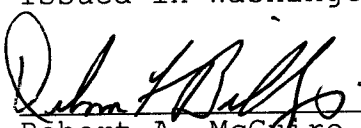
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this exemption are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this exemption must notify the Associate Administrator for Hazardous Materials Safety -- OHMEA, in writing, of any incident involving a package, shipment or operation conducted under terms of this exemption.

Issued in Washington, D.C.

for 
Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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DATE

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of the exemption are permitted. Any alteration of this exemption is prohibited.

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